



Paper No. 7

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**MAILED**

**JUN 03 2003**

**Technology Center 2100**

In re Application of: )  
steven FARAGO et al. )  
Application No.: 09/671,513 )  
Filed: September 21, 2000 )  
For: DI-DIRECTIONAL STACK IN A )  
LINEAR MEMORY ARRAY )

**DECISION ON PETITION  
UNDER 37 C.F.R. § 1.181 TO  
WITHDRAW HOLDING OF  
ABANDONMENT**

This is a decision in response to the petition under 37 CFR 1.181 requesting the withdrawal of the holding of abandonment filed March 24, 2003

The petition is **GRANTED**.

This application was held abandoned for failure to file a timely response to the Office action of mail date July 31, 2002. A Notice of Abandonment was mailed on February 7, 2003.

In support of the petition, Applicant asserts that the Office action was not received, and that no record of the Office action was found in the Attorney's file for this application. Petitioner supplies a copy of the case history report for the instant application and states that this is where the record would have been entered in the firm's case tracking system. The case history report shows no entry indicating receipt of the Office action mailed July 31, 2002.

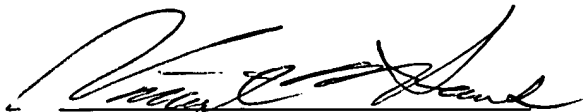
The relevant portion of MPEP § 711.03(c) states:

The showing required to establish nonreceipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office communication would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement. See Notice entitled "Withdrawing the Holding of Abandonment When Office Actions Are Not Received," 1156 O.G. 53 (November 16, 1993).

Petitioner has met the criteria of set out in MPEP 711.03(c) for establishing failure to receive an Office action.

For the above, the petition is **GRANTED**. The abandonment is **WITHDRAWN**.

The application file is being forwarded to the Technology Center support staff. The Office action of July 31, 2002 will be remailed to the address noted above with the three month Shortened Statutory Period restarted to run from the date of the remailing.



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